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December 22, 1993

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ARM

Mr. William F. Caton  
Acting Secretary  
Federal Communications Commission  
1919 M Street, N.W.  
Room 222  
Washington, D.C. 20554

Dear Mr. Caton:

Transmitted herewith, on behalf of KIQS, Inc., licensee of FM broadcast station KIQS-FM, Willows, California, are an original and four copies of its "Petition for Rule Making," which requests that the FM Table of Allotments be amended to delete Channel 288A from Willows, California, and assign Channel 288B1 to Dunnigan, California.

In the event there are any questions concerning this matter, please communicate with the undersigned.

Sincerely,

*Arthur B. Goodkind*

Arthur B. Goodkind

Enclosures

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DEC 22 1993

Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

In the Matter of )

MM Docket No. 93- \_\_\_\_\_

Amendment of Section 73.202(b) )

MM No. \_\_\_\_\_

Table of Allotments )

FM Broadcast Stations )

(Willows and Dunnigan, CA) )

To: Chief, Policy and Rules Division

**PETITION FOR RULE MAKING**

1. KIQS, Inc., licensee of KIQS(FM), Willows, CA, pursuant to Section 1.401, Section 1.420(g)(3) and Section 1.420(i)1 of the Commission's Rules, respectfully submits this Petition for Rule Making to amend the FM Table of Allotments, Section 73.202(b) of the Commission's Rules, as follows:

	<u>Present</u>	<u>Proposed</u>
Willows, CA	288A	_____
Dunnigan	_____	288B1

2. The coordinates for this proposed allotment to Dunnigan are 38 degrees, 55 minutes, 34 seconds North Latitude and 121 degrees, 54 minutes and 10 seconds West Longitude. See Exhibit E-1 at 1. KIQS also requests that the Commission modify the permit of KIQS(FM) to specify operation on the higher class channel at Dunnigan, CA.

**PRELIMINARY STATEMENT**

3. The allocation reference point in this petition meets the minimum distance separation requirements set forth in Section 73.207 of the Commission's Rules. See Exhibit E-1 at 2-3. The modification and change of community can be made in the course of

this rule making since the proposed modification will occur on a mutually exclusive co-channel. See Section 1.420(g)(3) and (i) of the Commission's Rules.

4. The change in allotment will not deprive Willows of its only local aural service and will result in the "net service benefit for the affected communities". Amendment of the Commission's Rules Regarding Modification of FM and TV Authorizations to Specify a New Community of License ("Modification of Community of License"), 4 FCC Rcd 4870, 4874 (1989). Thus, KIQS's proposal is in accord with the Commission's policy on changes in community of license.

#### Discussion

##### I. DUNNIGAN, CA IS A "COMMUNITY" FOR ALLOTMENT PURPOSES

5. The statute requires the FCC to allot FM channels in a fair distribution among the Nation's "communities". See 47 U.S.C. § 307(b). While the FCC historically has considered any incorporated or census-designated place as a "community" for allotment purposes, the FCC also will recognize any "geographically identifiable population grouping" as a "community" for such purposes. See FM Channel Policies/Procedures, 90 FCC 2d 88, 101 (1982). Incorporation is not a prerequisite for "community" status. See Musical Heights, Inc., 29 FCC 1 (1960). Moreover, a town of only 415 persons has qualified as a "community" for allotment purposes. See Pt. Arena, CA, DA 93-1389, released December 13, 1993; see also FM Assignments, 5 FCC Rcd 934, 934-5 (1990) (Semora, NC is a community even though it is not a CDP, has

no local government, and has a population of only 150). Finally, the FCC long has held that "the standard to be applied in determining whether a specified locality is a 'licenseable' community is not a stringent one." See Beacon Broadcasting, 2 FCC Rcd 3469, 3470 ¶9 (1987).

6. Dunnigan, a recognized "town" of approximately 700 residents in Yolo County, California, has its own zip code, its own post office and a town hall. See Statement of Michael W. Luken, Associate Planner of Yolo County, attached as Exhibit A. Indeed, the town of Dunnigan has a comprehensive General Plan that is currently being revised. See Exhibit B. That extremely thorough Plan refers repeatedly to the "Dunnigan" community. Id. Moreover, Dunnigan has identifiable boundaries (id. at Figures 11 and 12) and a five-year plan to develop a park and a community center. Id. There is a Dunnigan Water District and a Dunnigan Fire District. Id.

7. In addition, Dunnigan has its own distinct churches, businesses and civic clubs. See Statement of Keith Williams, attached as Exhibit C. An elected county official regards Dunnigan to be a distinct community. See Statement of Frank Sieferman, attached at Exhibit D. The residents of Dunnigan consider it to be a geographically identifiable and distinct community. See Exhibit C. In short, it is indisputable that Dunnigan is a "community" for FM allotment purposes. See Beacon Broadcasting, supra, 2 FCC Rcd at 3471; Seven Locks Broadcasting Co., 3 RR 2d 177, 180-81 (1964) (FCC finds "community" status even though no

clearly delineated areas and populations); East Hemet, CA, 4 FCC Rcd 7895,7896 ¶11 (1989); Mercer Broadcasting Co., 22 FCC 1009 (1957).

**II. THE PROPOSAL WILL RESULT IN A PREFERENTIAL ARRANGEMENT OF ALLOTMENTS**

8. The proposed change in the FM Table of Allotments will allow the station's facilities to be upgraded from operation on Channel 288A to Channel 288B1. Commission policy favors enhanced service by existing licensees, Amendment of the Commission's Rules Regarding the Modification of FM and Television Station Licenses, 98 FCC 2d 916, 920 (1984), and encourages improvement of facilities by existing stations, Modification of FM Broadcast Station Rules to Increase the Availability of Commercial FM Broadcast Assignments, 94 FCC 2d 152, 170 (1983).

9. KIQS's proposal meets the Commission's requirement for a "preferential arrangement of allotments." Modification of Community of License, supra, 4 FCC Rcd at 4873. Id. Dunnigan, CA will gain its first local broadcast service as a result of this proceeding. Provision of first local service is accorded the highest priority in FM allocation proceedings. See Revision of FM Assignments, Policies and Procedures, 90 FCC 2d 88, 90-92 (1982). Moreover, Willows, CA will continue to receive local aural service from KIQS(AM).<sup>1</sup>

10. Additional public interest benefits will accrue under KIQS's proposal because it will provide expanded service to a

---

<sup>1</sup> Furthermore, two other fully-spaced FM allotments to Willows, CA can be made. See Exhibit E-1 at 2.


greater area and population than may presently be served on Channel 288A at Willows. As presently authorized, KIQS(FM) serves an area of 993 sq. Km and a population of 10,475. See Exhibit E-1 at 2. Under KIQS's plan, the station will serve an area of 4,754 sq. Km and a population of 161,280. This proposal yields a 1440% increase in population served and a 379% increase in areas served. See Exhibit E-1 at 2.

11. The loss of the second aural service currently provided to Willows by KIQS is outweighed by the public interest benefits derived from providing a "first" local service to Dunnigan, as well as the enhanced service that will be provided at Dunnigan. See Modification of Community of License, supra, 4 FCC Rcd at 4874 ("a change in community of license that would result in a preferential arrangement of allotments should not [be] precluded because the licensee will no longer serve its original community of license"). Accordingly, the plan will result in a "net service benefit to the communities involved" and a "preferential arrangement of allotments". Modification of Community of License, supra 4 FCC Rcd 4873-74.

**CONCLUSION**

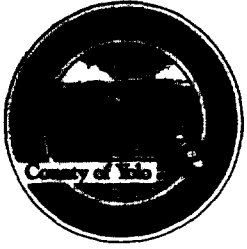
12. For the foregoing reasons, KIQS, Inc. respectfully requests that the Commission issue a Notice of Proposed Rule Making proposing the substitution of Channel 288B1 for 288A, the change of community of license from Willows, CA to Dunnigan, CA, and the modification of KIQS's permit to specify operation on the higher class channel at Dunnigan, CA. In the event this petition is ultimately granted, the licensee of KIQS will file an application for a construction permit for the facilities proposed herein and promptly construct the facilities when authorization is granted.

Respectfully submitted,

  
\_\_\_\_\_  
Arthur Goodkind, Esq.  
Koteen & Naftalin  
1150 Connecticut Aveune, N.W.  
Washington, D.C. 20036  
(202) 467-6685

Counsel for KIQS, Inc.

December 21, 1993



# County of Yolo

292 West Beamer Street

Woodland, CA 95695

(916) 666-8020

**COMMUNITY DEVELOPMENT AGENCY  
PLANNING DIVISION**

1. My name is Michael W. Luken, Associate Planner, County of Yolo, 292 West Beamer Street, Woodland, CA 95695

2. I am familiar with the August 1992 draft of a revised General Plan for the Town of Dunnigan, which lies within Yolo County, California. That General Plan correctly describes Dunnigan as a "community". Indeed, the unincorporated town of Dunnigan has approximately 700 residents, has its own Zip Code, has its own post office and has a town hall. The residents of Dunnigan conceive of themselves as a "community". In my view, Dunnigan is more than an identifiable population grouping -- it is an identifiable town.

I swear or affirm that the foregoing information is true to the best of my information and belief. Executed on December 16, 1993.

A handwritten signature in black ink, appearing to read "Michael W. Luken", is written over a horizontal line.

Michael W. Luken, Associate Planner



YOLO COUNTY

Town of Dunnigan  
General Plan

CONCEPTUALLY APPROVED BY THE  
DUNNIGAN GENERAL PLAN  
STEERING COMMITTEE  
NOVEMBER 9, 1992

August 1992

Prepared by:  
Crawford Multari & Starr

# **DRAFT**

## **August 1992**

### **Yolo County Board of Supervisors**

Betsy A. Marchand, Chair  
Clark Cameron  
George P. DeMars  
Cowles Mast  
Helen Thompson

### **Yolo County Planning Commission**

Lawrence Germeshausen  
Robert R. Gillette  
Curzon Kay  
Gloria McGregor  
Ann Scheuring  
Lynnel Pollack  
Arlo "Arnie" Spiess

### **Yolo County Community Development Agency**

Stephen L. Jenkins, Director  
Michael Luken, Associate Planner

The staff and consultants would like to thank the Dunnigan General Plan Advisory Committee and all the community members who participated in the workshops and public meetings for their hard work and genuine concern about the future of their town. The following is a list of all present and former Dunnigan community members and other interested persons who have participated in the Dunnigan General Plan Advisory Committee.

Frank Adan  
Valerie Adan  
Harry Alexander  
Ardella Backhaus  
Anne Bosse  
David Bower  
Neil Bush  
Elwood Cluff  
Peggy Dereus  
Brenda Diggs  
Lucy Ellis  
Ruby Flesner  
Julian Garcia  
Naomi Garrett  
Shirley Gooch  
Dr. Daniel Hardy  
Laurie Harlow  
Sally Hastings  
Les Hathaway

Laura Henriquez  
Lillian Hurguley  
Willard Ingraham  
Richard Keaton  
Russel Keaton  
Charles Kelly  
Walter Lampinen  
Bob Larkins  
Dennis Lathum  
Annelie Lauwerijssen  
Erich Linse  
Aron Long  
Carolee Long  
Cowles Mast  
Ruth Mathews  
Cheryl Mazzoncini  
Pat McAravy  
Nancy McCullough  
John McGrew

Cathy Morre-Reyes  
Jeffrey Moss  
Sidney Mumma  
Tom Mumma  
Patty Murillo  
Greg Myers  
Don Peart  
Melvin Peterson  
Leana Poe  
David Schaad  
Gary Schaad  
Frank Siefertman  
Michael Stafford  
Kelly Strong  
Barbara Thompson  
Keith Williams  
Ken Wright

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# Executive Summary

## PREFACE

Dunnigan originally developed as an agricultural service center, sited along the railroad, and surrounded by farmland. It remains today a small, rural town, set amid open space, grazing land and cultivated fields. Residents enjoy the lifestyle associated with small towns in rural settings.

There are, however, two important features which makes Dunnigan different from other small towns in Yolo County. First, most of today's residents live in the Hardwood Subdivision, which was originally an area devoted to growing eucalyptus trees. When it was recognized that these trees had little commercial value, the woodlots were sold as homesites. Thus, unlike other Yolo County towns which have a compact form, utilizing a traditional grid street pattern around a town center, the largest part of Dunnigan consists of big lots, spread along lengthy road segments, far from the old downtown. The General Plan aims to tie together better the Hardwood Subdivision and the Old Town, and to create a new Town Center which can be the focus of local commerce and services located closer to most of the existing and future homes.

Second, the town is divided by Interstate 5, the major north-south transportation corridor in this part of the state. The large number of travelers along this route makes Dunnigan attractive for highway-oriented businesses. The General Plan accommodates reasonable amounts of this kind of development while striving to maintain and enhance the small town, rural character of the area for people who live there.

By this General Plan, Dunnigan citizens have set a course for new development which accommodates commercial demand and provides new housing by filling in the area between the Old Town and the Hardwood Subdivision portions of town. New development that is allowed will build on the small town character which is so attractive elsewhere in rural Yolo County: a compact physical form, a grid street pattern, a Town Center which is the focus of local businesses and services, protection of surrounding open space and agriculture, and maintenance of the rural ambience. New development must contribute toward the creation or enhancement of these qualities.

## RELATIONSHIP TO THE YOLO COUNTY GENERAL PLAN

The focus of the Yolo County General Plan seeks to retain the rural agricultural character of the County, while directing limited amounts of urban development to existing cities and unincorporated towns such as Dunnigan. Permitted development is to be located and designed in such a way as to protect, preserve and perpetuate the small town characteristics and qualities of the various towns in the County. In order to retain a separate identity for these towns, ultimate urban service boundaries will be identified. Growth pressures in excess of these specified limits will be directed to other towns in the County.

New residential development in Dunnigan will have a roadway network that is based on a grid system. New buildings will be of a character, scale and level of affordability that is in keeping with the current

character of the town. New local-serving businesses will be located and designed to create a new Town Center for the community. In summary, this General Plan for Dunnigan is intended to result in a compact and recognizable small town having its own character - rather than the aimless sprawl associated with so many developing urban areas.

## **PLAN CONTENTS**

The General Plan is composed of five chapters. The Introduction describes the planning area, plan organization and relationship among government jurisdictions affecting Dunnigan.

The Community Development chapter consists of six sections covering issues relating to land use, development standards, housing, circulation, public services, and fiscal considerations.

The Conservation chapter describes the diverse natural and human-made resources in and around Dunnigan, and how these resources will be preserved and protected through the time frame of the General Plan.

The Safety chapter discusses natural and human-made hazards and how the effect of these hazards can be minimized.

Lastly is the Implementation chapter which details the necessary steps to implement the goals, policies, and programs of the General Plan. A timeline is established through which these various steps should be implemented. The Implementation chapter also contains a list of 5-year and 10-year objectives which are measurable outcomes by which the success of the General Plan can be evaluated.

## **GOALS AND POLICIES, AND PROGRAMS**

The General Plan consists of a Land Use Map, which illustrates the location for different kinds and intensities of land uses, as well as a number of goals, policies, and programs. Goals are statements about the preferred condition the town is aspiring toward. Policies articulate the County's position on public improvements, land use and new development. Proposals for new public facilities and private developments must all comply with these policies.

This General Plan also includes a series of objectives. These are measurable outcomes by which the progress of the plan can be assessed. Table 4 lists a summary of the plan objectives.

A goal of overriding importance is a dedication to enhancing the quality of life and maintaining the "small town", ambiance, community character, design and scale for present and future generations of Dunnigan residents. The standard of living and quality of life available will be influenced in part by public policies which reflect sensitivity to the many ways in which "environmental quality" is nurtured and achieved.

### Land Use Goals

To provide effective standards for the location, amount, rate, type and quality of new development so that the rural character of the town is preserved, agriculture is enhanced and maintained, and the natural environment is protected.

To create a physical form and character which improves the way the community functions.

To avoid the premature conversion of agricultural land to urban use.

To reflect the design, scale, character, heritage and appearance of small towns in Yolo County in new development, through development regulations which express appropriate concern for visual quality through site planning and engineering, architectural design, landscaping, use of signs, and the maintenance of public and private buildings and sites.

To manage the growth of the town so that adequate facilities and services can be provided in pace with development.

To provide Dunnigan and the surrounding area with a wider variety of goods and services.

### Land Use Policies

#### General

- D-LU.1. A town limit line shall be established which separates the areas where development is permitted from agricultural areas. See Figure 4.
- D-LU.2. All new development and construction activity shall comply with the map, policies and standards contained in this Plan.
- D-LU.3. The Dunnigan General Plan Advisory Committee should be reconstituted as a permanent body to provide a more formal an on-going approach to representing community interests with the County and local special districts with respect to implementation of this Plan.
- D-LU.4. Public improvements and new development proposed in this planning area (see Figure 2) shall be referred to a Dunnigan Advisory Committee, established by the Board of Supervisors, for review and comment regarding the conformance of the proposal with this plan.
- D-LU.5. New development in expansion areas shall be prevented in areas where natural conditions are a threat to public safety or produce excessive maintenance costs.
- D-LU.6. Except for infill in existing developed areas, new urban development may be allowed only on those parcels designated as expansion areas by the General Plan (See Figure 4 and Figure 7.) The Land Use Designations established by the General Plan shall be as described on Table 3. All such new urban development shall be in accordance with the Planned Development (PD) requirements of the Yolo County Zoning Regulations.

- D-LU.7. The town shall maintain a comprehensible scale and a compact form. New development west of I-5 should include businesses, a school, parks, and local offices of government services within easy walking distance of residences.
- D-LU.8. New development shall not be allowed unless adequate water, sewer and drainage facilities are available to serve such new development.
- D-LU.9. New development shall pay its fair share of providing additional public services needed to accommodate such development.
- D-LU.10. All new development shall be subject to the development standards described in *Community Design Guidelines and Development Standards*.
- D-LU.11. The urban reserve shall not be considered for residential development until at least 75% of the residential development capacity in Expansion Area 2 has received planning or building approvals from the County. The urban reserve shall not be considered for highway commercial development until at least 75% of Expansion Area 3 has been developed. The urban reserve shall not be considered for industrial development until 75% of Expansion Area 5 has been developed. However, in no case shall the urban reserve be considered for development until ten years after the adoption of this general plan.
- D-LU.12. All buildings on property fronting I-5 in the expansion areas shall be set back at least 50 feet from the Caltrans right-of-way, provided, however, that this minimum may be reduced by the Community Development Director based on the following findings:
- a. The building and related features, including parking lots, are adequately screened from view from the freeway corridor; and
  - b. Noise impacts on the occupants of the building have been adequately mitigated.
- In all cases, a detailed landscaping plan shall be required, subject to the review and approval of the City. Exceptions to this setback requirement may also be granted for sections of on-ramps and off-ramps outside the main freeway corridor.

### Residential Development

- D-LU.13. New residential development shall be allowed in the area generally defined as north of County Road 6, east of County Road 88, south of Dunnigan Creek, and west of the proposed new Town Center. This area shall be designated as PD (planned development) and shall require community water and sewer services. The areas just west of the new Town Center shall be designated for medium density residential (an average density of 12 units per acre) as a transition from the commercial and mixed use area to the more traditional residential neighborhood to be developed farther to the west. The remainder of the area shall be developed with an average density of at least 6 units per net acre. The portion of the expansion area that lies within the 100 year flood plain of Dunnigan Creek shall be maintained as open space and shall not be included in calculating overall allowed density.
- D-LU.14. The Hardwood Subdivision shall be maintained as a residential area. The density shall be one unit per net acre. No new parcelization or increased density shall be permitted until a public water and/or sewer system is installed in the area, or the County Environmental Health



Department determines that such subdivisions will not pose cumulative, significant groundwater problems.

- D-LU.15. The approximately 13 acres north of Camper's Inn shall be designated for low density residential uses, including mobile homes, at a density of 6 units per net acre. This site shall be designated as PD (planned development) and the specific types of units shall be subject to the PD review and approval process.
- D-LU.16. Upon adoption of this Plan, up to 200 residential units may be developed in Expansion Area 2. An additional 50 units may be approved for every 50,000 square feet of commercial or industrial uses that receive building permits. A maximum of 600 residential units may be allowed within the first ten years following adoption of this General Plan. However, these standards will be monitored by the Community Development Agency in keeping with the overall policies of the Plan, and may be modified to reflect economic and financial needs associated with expansion of community water, sewer, drainage, and other public facilities. Every effort shall be made to insure that residences will be affordable to employees of new commercial development.
- D-LU.17. The area east of I-5 in and around the area referenced to as "The Gap" will be designated for very low density residential, with a Planned Development (PD) overlay. This area has historically been zoned for commercial uses. The County may approve certain businesses in this area subject to the review and approval of a PD application, subject to the following findings:
1. The business will not significantly impact nearby residents.
  2. The business will not attract large numbers of customers to the site.
  3. That streets and other related improvements have been provided to the satisfaction of the Public Works Department.

### **Commercial Development**

- D-LU.18. A new Town Center shall be created on the west side of I-5, north of County Road 6, and south of Dunnigan Creek. The core shall be developed with a mix of local commercial, residential and visitor serving uses. Development in the Town Center should be designed in substantial conformance with the design guidelines established in this document. First floor uses shall be retail, commercial, service, or other high volume, pedestrian oriented businesses. Upper stories may be offices, residences, motel rooms or other uses.
- D-LU.19. Visitor and highway related commercial uses shall be encouraged on the east side of I-5, north of County Road 6, south of County Road 5, and west of County Road 99W. The businesses should focus on uses whose primary clientele arrive by automobile, not trucks. Uses that would compete with uses in the Town Center shall be prohibited from this area.
- D-LU.20. Highway service commercial uses shall be allowed at the County Road 8/I-5 interchange. Uses on this property shall be limited to those that serve truck traffic such as truck stops with associated restaurants, truck service stations, truck repair and maintenance, and overhaul facilities.

- D-LU.21. The highway service commercial designation shall allow all of the uses described in Section 8-2.1502 and 8-2.1504, subject to approval of a Planned Development (PD) application, which may modify the range of allowable uses in particular cases. Factory outlet centers shall be limited to the highway commercial area north of Road 6.
- D-LU.22. Allowed uses in the truck related highway commercial service designation shall include all of the uses described in Section 8-2.1502 and 8-2.1504 of the zoning ordinance (subject to review and approval pursuant to the required Planned Development (PD) application) except the following:
- fruit and/or vegetable stands
  - retail nurseries and greenhouses
  - sale of new or used cars, mobile homes or boats
  - animal hospitals
  - drive-in theaters
  - mobile home parks
  - dwellings
- D-LU.23. Truck parking lots shall be an allowed use in the areas designated as agriculture-related industrial and truck-related highway service commercial. Stalls should be a minimum of ten feet by 50 feet.

#### Industrial Development

- D-LU.24. New agriculture related industrial development may be allowed south of County Road 8 on the east side of I-5, west of the Southern Pacific railroad and County Road 99W. Examples of such uses include farm machinery sales and repair, agricultural processing facilities, product or equipment warehousing, and farm supply stores.
- D-LU.25. All industrial development shall be designed and located so as to be screened from I-5.
- D-LU.26. Industrial uses shall be allowed to continue in the area east of County Road 99W and west of the Old Town area.

#### Agricultural Land/Open Space

- D-LU.27. Except as those designated as expansion areas in this plan, agricultural lands in and surrounding the Dunnigan planning area shall be protected from the encroachment of urban development. The conversion of agricultural land to urban uses may only occur on lands designated for urban use on the General Plan map.
- D-LU.28. Parcels designated Agriculture in the Dunnigan planning area which are outside the town boundary and urban reserve line shall not be further subdivided or parcelized.
- D-LU.29. Parcels in Williamson Land Conservation Act contracts (Agriculture Preserves) shall not be eligible for urban development and shall be preserved for agriculture.
- D-LU.30. New development in Expansion Area 2 shall maintain a minimum setback of 100 feet from agricultural uses. The roadway rights-of-way may be counted as part of the buffer. Adjacent

agricultural uses are primarily range land and do not require extensive setbacks for spraying pesticides or moving farm equipment.

The eastern boundary of Expansion Area 5 shall maintain a minimum setback of 100 feet on site from adjoining agricultural parcels. The roadway and railroad right-of-way may not be counted as part of the buffer. The setback is extended in this area because adjacent agriculture parcels are irrigated and sprayed row crops.

Such setback or buffer area shall be established by recorded easement or other instrument, subject to the approval of County Counsel. A method and mechanism for guaranteeing the maintenance of this land in a safe and orderly manner shall be also established at the time of development approval. Options include creating a property-owners association, or dedication of the buffer area to a non-profit organization or public entity.

- D-LU.31. As a condition of approval for development on agricultural land, the project proponent shall execute and implement an Agricultural Conservation Easement, mitigation fees and other similar farmland conservation programs as may be adopted by Yolo County. Specific details of the Conservation Easement or other programs shall be determined by the Yolo County Community Development Director. The total area encompassed by the easement or other program shall be no less than the area removed from agricultural production by the project, and no more than the acreage required by any Agricultural Conservation Easement program adopted by Yolo County.
- D-LU.32. Owners of land outside of the areas shown for development by the plan shall be encouraged to enter into agricultural preserve contracts.

### Circulation Goals

To provide a safe and efficient circulation network for Dunnigan.

To encourage the use of alternate forms of transportation other than the automobile.

### Circulation Policies

- D-C.1. Improvements to Arterial and Collector streets should be made on a highly selective basis which seeks to improve capacity, flow and safety by the use of traffic engineering solutions where feasible as compared to major structural improvements.
- D-C.2. Facilities that promote the use of alternate modes of transportation, including bicycle lanes, pedestrian and hiking trails, park-and-ride lots and facilities for public transit shall be incorporated into new development, and shall be encouraged in existing development.
- D-C.3. Public transit to surrounding communities, especially Woodland, shall be improved.
- D-C.4. Additional emergency access and bike and pedestrian crossings of Dunnigan Creek shall be required as a condition of approval for the new development area south of the creek.

- D-C.5. A new commercial street shall be required as a condition of approval for development of in the new Town Center area west of Interstate 5; said street shall be designed in approximate conformance with Figure 10. This street shall have the following features: on-street parallel parking, two lanes only, street trees 50 feet on center, appropriate street furniture spaced at regular intervals, six-foot sidewalks, curb and gutters (right angle curb).
- D-C.6. The new residential growth areas shall be connected to the existing developed Hardwood Subdivision. Direct access to Arterials and Collectors from residential development is to be discouraged except where physical conditions do not allow for other design solutions. All new residential subdivisions within Expansion Area 2 or in the urban reserve shall utilize a grid pattern, except as where deemed infeasible by the Planning Director and the Public Works Director. Cul-de-sac or curvilinear streets are to be avoided in Expansion Area 2.
- D-C.7. Private roads shall be improved with all-weather surfaces to a width of at least 20 feet.
- D-C.8. The safety of public highways and county roads shall be improved with respect to sight distance problems caused by trucks parking along the road shoulders.

### Housing Goal

To provide a continuing supply of affordable housing to meet the needs of existing and future residents of Dunnigan in all income categories.

### Housing Policies

The policies contained in the County Housing Element are hereby incorporated as part of this plan to the extent that they may be applicable to Dunnigan.

- D-H.1. A variety of housing types and densities shall be required in Dunnigan. At least 15% of all residential lots shall be available for sale.
- D-H.2. Each subdivision or phase of development in Expansion Area 2 shall include some attached homes, such as duplexes, townhouses or small apartments and condominiums, that are integrated with new single family homes. At least 10% of the units in each subdivision or phase of development in Expansion Area 2 shall be attached.
- D-H.3. The design of multi-family housing in the residential expansion area shall limit the number of units in one building to four or fewer and should be in scale and character with the homes in the existing town. Such buildings should appear similar to large single family homes in size, architectural style and usable yard areas. This policy shall be implemented through the community design guidelines and development standards.
- D-H.4. Affordable housing shall be encouraged and maintained. New residences that are affordable to low income households shall be dispersed throughout Expansion Area 2 and not concentrated in one place. In all subdivisions or housing projects, at least 10% of the units shall be affordable to households with low or very low incomes. Such housing shall meet the applicable requirements of the Yolo County Housing Element. Projects will be eligible for applicable density bonuses allowed pursuant to the Yolo County Housing Element.

- D-H.5. New development in Dunnigan which provides at least 50% of the units for low or very low income households shall be eligible for a density bonus of 50%, subject to the approval of the Planning Commission.
- D-H.6. New development of rental apartments above commercial establishments in the new Town Center shall be eligible for a density bonus of 50%, subject to the approval of the Planning Commission.
- D-H.7. Large-scale, seniors-only housing developments shall be discouraged in Dunnigan.

## Community Design Policies

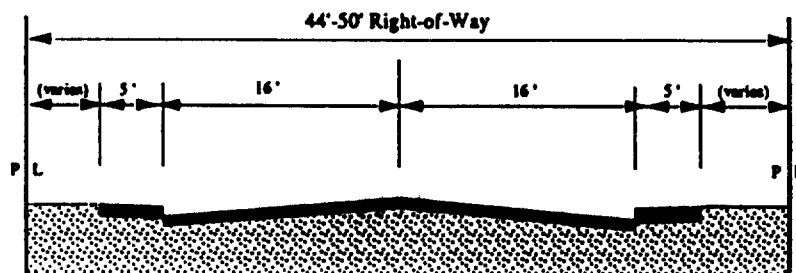
### General

- D-D.1. New development shall be consistent with the applicable standards set forth in the Yolo County Zoning Ordinance, unless otherwise established by this section of the General Plan.
- D-D.2. Landscaping shall be required in all development projects subject to Site Plan Review. Landscaping plans shall include a generous number of trees in a variety of sizes, but no smaller than 15 gallons. The landscape plan must comply with the Model State Ordinance or the County Ordinance for Water Efficient Landscape.
- D-D.3. New development shall be set back from Interstate 5 as illustrated on page II - 26.
- D-D.4. New development shall be maintained in a neat and orderly manner at all times. The storage of abandoned vehicles or refuse in areas visible from a public street shall be prohibited.
- D-D.5. Where on-site detention basins are proposed to serve the drainage needs of new development, a landscaping plan shall be provided.
- D-D.6. New development shall be designed to minimize conflicts and potential nuisance problems between land uses, including light and glare and noise.
- D-D.7. New development shall incorporate features that promote the use of alternate forms of transportation, including but not limited to items recommended by the Yolo-Solano Air Quality Management Plan.
- D-D.8. An application for a planned development shall be required for all new development on parcels with a PD zoning suffix. Such an application shall include at least the following:
- A statement of objectives to be achieved by the project through the particular approach chosen, including proposed land uses and residential densities.
  - A site plan consistent with the requirements of Section 8-2.2006 of the County Code.
  - Information on existing land on the site and on surrounding parcels.
  - Any additional information which may be required by the Community Development Director.

- D-D.9. Under an approved planned development project, lot size and configuration, required yards, building height, lot coverage, and parking may be specified for the project without conformance to County standards if one or more of the following findings can be made:
1. The project provides facilities or amenities suited to a particular occupancy group (such as low income groups, the handicapped or elderly) which would be infeasible under conventional development standards.
  2. Features of the particular design achieve the intent of conventional development standards (adequate parking, compatibility with surrounding neighborhood character, etc.) as well or better than the standards themselves.
  3. The project provides exceptional public benefits such as parking, open space, landscaping, public art, or other amenities that would not be feasible under conventional development standards.
- D-D.10. A sign program shall be submitted with all new commercial, industrial and mixed-use development. The proposed sign program shall be an integral design element of the project and be compatible with the other features of the project in terms of height, location, lettering, scale, and color.

### Single Family Residential

- D-D.11. The average residential density shall be at least six dwellings per net acre, unless otherwise provided by this General Plan.
- D-D.12. New residential subdivisions shall utilize a grid street system with connections to the existing town where feasible. The use of alleys for access behind homes is encouraged in new subdivisions.
- D-D.13. New residential development shall emulate the character of small rural towns in Yolo County and include the following:
- Modest sized homes with generous front yards.
  - A variety of architectural styles and materials.
  - Porches.
  - Street trees in the public right-of-way and trees in front yards.
- D-D.14. Street sections for new residential streets should be as shown below, with a 45-50 foot right-of-way and 32 feet of pavement from curb to curb, and five foot sidewalks.



Typical Street Section

- D-D.15. New residential subdivisions should provide a variety of lot sizes distributed throughout the project.
- D-D.16. At least one 15-gallon street tree shall be planted on every new lot. As these trees mature, they will reduce the heat generated by paved surfaces and thereby reduce air conditioning needs and energy use in the home.
- D-D.17. Mature trees shall be preserved to the maximum extent feasible.

#### **Very Low Density Single Family Residential**

- D-D.18. Land designated for very low density residential development may accommodate parcels at least one acre in size. The maximum residential density shall be determined based on the gross area of the lot before dedication of streets, parkland or other requirements.
- D-D.19. New very low density residential subdivisions shall utilize a grid street system with clear connections to the existing pattern, to the extent feasible.
- D-D.20. New very low density residential development shall enhance the existing character of the town and include the following:
- A variety of architectural styles and materials.
  - At least one street tree in the public right-of-way for every 35 feet of street frontage, and trees in front yards.
- D-D.21. Street sections for new very low density residential streets should be as shown in preceding cross section, with a 45-50 foot right-of-way and 32 feet of pavement from curb to curb, and five foot sidewalks. Sidewalks shall be optional.

#### **Multi-family Residential**

- D-D.22. Multi-family projects involving 10 or more housing units shall include a minimum of 20% of net site area developed as landscaped open space, including front, side and rear yard areas required by the Zoning Ordinance. A minimum of 10% of net site area, excluding required yard areas, shall be developed for the common recreation use of tenants.
- D-D.23. Multi-family projects involving less than 10 housing units shall include a minimum of 10% of net site area developed as landscaped open space, excluding required yard areas, for the recreation use of tenants.
- D-D.24. For multi-family projects where a partial waiver is requested by the applicant for all or part of the recreation impact fees required by County ordinance, all of the following areas and facilities shall be provided on a minimum of one acre of aggregate site area:
- a. Recreational open space for either passive or active recreation use, including at least one-half acre of automatically irrigated lawn area.
  - b. Court areas involving any combination of area for tennis, badminton, volleyball, shuffleboard or similar hard-surfaced areas designed and intended exclusively for court

games. Recreational swimming areas devoted primarily to swimming and wading may be substituted for court game area, including lap pools and training pools, and further including adjacent lawn area, decks, cabanas or similar facilities.

- c. In-door building(s) and facilities, including meeting rooms, exercise rooms and dining rooms, for the recreation needs of project residents.

- D-D.25. All multi-family housing projects shall provide off-street parking for visitors at locations reasonably central to the units to be served at the rate of one space for each four (4) units. On-street parking spaces may be substituted for off-street visitor parking at the ratio of one space for each eight (8) units.

**Commercial (Including Highway Service Commercial, Truck Related Highway Service Commercial, and Local Commercial)**

- D-D.26. All lands designated commercial within the Redevelopment Project Area (if established) shall be subject to such additional standards for Site Plan and Architectural Review as may be imposed by the Redevelopment Agency. All proposed projects shall first be approved as to use by the County Planning Commission prior to Site Plan Review.
- D-D.27. Trash areas shall be screened and located away from adjoining residential neighborhoods.
- D-D.28. Lights shall be hooded, and located and designed to not shine off site.
- D-D.29. Existing mature trees shall be incorporated into the design of the project to the maximum extent feasible.
- D-D.30. Rooftop mechanical equipment, including satellite disks, shall be screened from public view by the use of architecturally compatible materials.
- D-D.31. Ground level mechanical and service equipment, including satellite disks, shall be screened using fencing, landscaping, walls, or a combination.
- D-D.32. No drive-up windows (bank tellers, fast food, etc.) will be permitted.
- D-D.33. Reduced parking and lot area/setback requirements may be considered in carrying out the overall intent of this Plan. All parking is to be at the rear or consolidated on a separate lot. Street parking may be credited towards required spaces. Reduced and shared parking is encouraged and is consistent with the overall intent of the Plan.
- D-D.34. All parking lots shall provide landscaping and shall be setback a minimum of ten feet from the street. The setback area shall be landscaped to screen parked vehicles from public view. To reduce the heat generated by the parking lot surface and thereby reduce air conditioning needs, the landscape plan shall include drought tolerant shade trees that will (after five years of growth) shade 50 percent of all paved surfaces.
- D-D.35. Landscaping and street trees shall be required for all new commercial development, including all parking lots.



- D-D.36. Parking requirements for truck stops shall satisfy the requirements for each proposed use as described in Section 8-2.2504 of the zoning ordinance, in addition to one truck parking space (10' X 50') for every 500 square feet of total building area.

**Mixed Use**

- D-D.37. New mixed use development shall be subject to the development standards outlined in D-D.1 through D-D.10., and D-D.22. through D-D.25.
- D-D.38. New buildings should be built to the street and side property lines on both the east and west sides of the street similar to the illustration in Figure 6.
- D-D.39. New buildings with two stories are encouraged.
- D-D.40. Parking shall be prohibited between the street and the proposed buildings and in required side yards.
- D-D.41. Parking should be provided between new mixed use development and the single family residential land to the west.
- D-D.42. Street trees shall be required at 50 foot intervals on both sides of the street.
- D-D.43. The first floor of commercial buildings in the mixed use zone should be reserved for retail, restaurants, and offices with high visitor use. Other types of commercial, office and retail businesses, including residences, should be allowed on the upper floors. Second floor residential use is encouraged as a means for providing affordable housing and to assist in achieving financial feasibility of ground floor commercial development.
- D-D.44. Allowed uses in the mixed use zone shall include those described in Sections 8-2.1302 and 8-2.1304 of the zoning ordinance, including residences and professional offices and other compatible uses prescribed through a Planned Development project.

**Industrial Development (Including Agriculture Related Industrial)**

- D-D.45. Access to new industrial development shall make use of common driveways to the extent feasible, reducing the number of driveways onto public streets and highways.

**Public Facilities Goals**

To provide the level of public services desired by the residents at an equitable cost.

To insure the provision of public services keeps pace with new development.

To expand recreation programs for persons of all ages groups.